

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
ANDRES MARIN, R.N.	:	
License # 26NO 09659400	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Andres Marin ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about April 30, 2015, Respondent was asked to provide documentation, in the form of certificates of completion, of all nursing continuing education completed for the June 1, 2011 - May 31, 2013 licensing cycle.

3. Respondent provided certificates of completion for 4.40 contact hours of nursing continuing education completed in the June 1, 2013 - May 31, 2015 biennial cycle. Respondent also provided a "CE tracker" indicating that he may have earned 56.75 "credits" in 2015. The tracker does not provide information as to whether the activities constitute continuing education for nurses and does not provide any contact hours.

4. On Respondent's 2013 renewal application, Respondent indicated that he would have completed all required continuing education for the June 1, 2011 - May 31, 2013 licensing cycle by May 31, 2013.

CONCLUSIONS OF LAW

Respondent's failure to timely complete required nursing continuing education for the June 1, 2011 - May 31, 2013 licensing cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h). Moreover, Respondent is required pursuant to N.J.A.C. 13:37-5.3 to provide documentation of courses by means of certificates of completion (which provide information as to whether the courses constitute qualifying continuing education).

Respondent's indication on his 2013 renewal application that he would have completed all required nursing continuing education for the June 1, 2011 - May 31, 2013 licensing cycle by

May 31, 2013 constitutes misrepresentation in violation of
N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand and a two hundred and fifty dollar (\$250) civil penalty was entered on May 28, 2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent timely responded to the Provisional Order of Discipline by providing a multitude of certificates of completion of continuing education. Respondent failed to provide any certificates indicating that he had completed continuing education within the June 1, 2011 - May 31, 2013 biennial period. Respondent did, however, cure that deficiency by completing at least 60 hours in May and June 2015.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material

discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent cured the deficiency in his continuing education from the June 1, 2011 - May 31, 2013 biennial period, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to timely complete continuing education warrants imposition of a two hundred and fifty dollar (\$250) civil penalty and that Respondent's false answer on his 2013 renewal application warrants a reprimand.

ACCORDINGLY, IT IS on this 15th day of September, 2015,
ORDERED:

1. A reprimand is hereby imposed for misrepresentation in violation of N.J.S.A. 45:1-21(b).

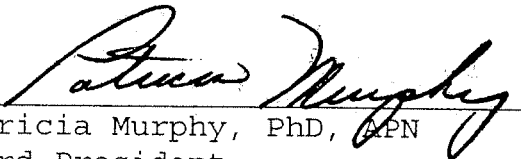
2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for the violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than

twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Continuing education completed after May 31, 2015 and applied to cure the deficiency of a previous biennial period shall not also be used to satisfy the requirements of the current biennial period. Respondent shall ensure that he has completed an additional 30 hours of continuing education prior to May 31, 2017.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President